

**FREDERICK COUNTY LIQUOR BOARD**  
***Public Meeting Minutes***  
***Monday, October 17, 2016***

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Those Present:     Mr. Rick Stup, Chairman  
                         Mrs. Maggi Hays, Board Member  
                         Mr. Jesse Pippy, Board Member  
                         Mrs. Kathy V. Dean, Administrator  
                         Mrs. Linda Thall, Senior Assistant County Attorney  
                         Mr. Harold DeLauter, Alcoholic Bev. Inspector  
                         Mrs. Ashley Sklarew, Administrative Specialist V

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A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 8:30 AM by Chairman Stup.

1. There were no Board comments.
2. Mrs. Dean provided the violation update. Mrs. Dean is waiting on the subpoena information from Inspector Shrum for one of the violations. All letters have been sent and hearings have been scheduled.
3. Conference

RE: David Brown, Virginia Michaels, Sam Schroeder  
for the use of Wes Winds Golf, LLC  
t/a West Winds Golf Club  
11330 Country Club Road  
New Market, Maryland 21774  
**Class C, On Sales, Beer, Wine & Liquor**

Mr. David Brown was the only one of three licensees to appear before the Board. Mr. Brown is one of the local people on the license. Mr. Stup stated the Board was concerned with the status of the establishment. The extension for the establishment to be closed ends today. The Board needs to take action today or the license is considered cancelled. Mrs. Dean stated that West Winds requested to be closed for a period of 30 days for cleaning, repairs and renovations. The Board approved the request but required a final inspection by the Board's inspector and their sales tax license would need to be returned to the correct account before the establishment could re-open. During their time being closed, the licensee requested an application for a transfer. The sales tax license had been transferred in to a different account. Mrs. Dean had a letter from the sales tax office holding the account as the account was found delinquent after an audit. Mr. Stup stated that staff has received a letter from the property owner's attorney. The relationship between the landlord and the business owners has been terminated. Mrs. Michaels is the principle of Gopher's, LLC, which had a contract to purchase the real property, under the terms of that contract Gopher's, LLC operated the golf course. The agreement is terminated and Gopher's has left the property. The current landlord has no existing relationship

with Gopher's or Mrs. Michaels. Mr. Brown stated he is only the resident signature for the liquor license, he has no financial interest or investment. Mr. Brown stated the owners are gone as far as he knows and he came to the hearing because his name is on the license, Mr. Brown stated that he is in the dark on all of this. Mr. Brown stated he was here to represent himself. Mr. Stup stated his appreciation for Mr. Brown attending the conference. Mrs. Dean stated that Mrs. Michaels and Mr. Sam Schroeder operated the business. Mr. Schroeder was the head chef and Mrs. Michaels was managing the business. Mrs. Dean heard from Mrs. Michaels on Thursday, October 13, 2016, and said she was in Rhode Island undergoing medical treatment. Mrs. Michaels said she was doubtful that Mr. Schroeder would be at this conference. Mrs. Michaels also stated that there is an investigation going on for theft of funds. Mrs. Dean confirmed with the Sheriff's Office that there is a current investigation. Mr. Brown was only aware of this by hearsay. Mr. Brown does not receive compensation for being a licensee. Mr. Pippy stated he finds it alarming that the people that have the most at stake are not present at this conference. Mr. Stup stated he doesn't feel an extension is appropriate given the circumstances. Mr. Stup stated the license could be revoked or cancelled. Mr. Stup continued to state that if the license is revoked a license cannot be obtained at that address for six months. If the license is cancelled the Board has to wait 10 consecutive days. Mrs. Thall stated the licensees would have to clear up their tax issues within those 10 days in order to get the license back. This would allow the landlord to bring in someone new to the property. Mrs. Thall recommended giving the licensees a notice that they appear to have vacated the premises.

**MOTION:** Mr. Pippy made a motion to not extend the closure request essentially giving the licensees 10 days, starting today, to clear up any tax issues and to be officially up and running before the 10<sup>th</sup> day, with an inspector to ensure this. If the establishment is not up and running and taxes are not cleared up by close of business on October 27, 2016, then the license is vacated by the licensee, not revoked but vacated.

**SECOND:** Mr. Stup seconded the motion.

**FURTHER DISCUSSION ON THE MOTION:**

There was no further discussion on the motion.

**VOTE:** Mr. Stup-Aye  
Mrs. Hays-Aye  
Mr. Pippy-Aye

The vote was unanimous **Aye-3, Nays-0**  
**(Motion Passed)**

4. Minutes: Update

September 19, 2016, minutes were sent to the Board for review. Mr. Stup stated the content was good but there were a few spelling errors that Ms. Sklarew

corrected. Mr. Pippy stated his and Mrs. Hays vote for the Sunday changes was incorrect on page 10. The vote was unanimous will also need to be corrected for that motion. Mr. Pippy stated that on page 7 under cigar licenses, the 40% should be changed to 10% or under 17%.

**MOTION:** Mrs. Hays made a motion to accept the minutes as amended.

**SECOND:** Mr. Pippy seconded the motion.

**FURTHER DISCUSSION ON THE MOTION:**

Mrs. Hays stated on page 8 it refers to the Board receiving \$4,000 and \$6,000. It is unsure if this is referring to the Orphans Court or not so the consensus of the Board was to delete these two sentences.

**VOTE:** Mr. Stup-Aye  
Mrs. Hays-Aye  
Mr. Pippy-Aye

The vote was unanimous **Aye-3, Nays-0**  
**(Motion Passed)**

5. Public Comment: There was no public comment.

6. Adjournment

Mr. Stup stated the next scheduled meeting is October 24, 2016, at 9:00am.

Mr. Stup adjourned the meeting at 8:55am.

Respectfully submitted,  
Kathy V. Dean, Administrator  
FREDERICK COUNTY LIQUOR BOARD

Prepared by Ashley Sklarew